

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

NOEL CUMMINGS

Plaintiff,

VS.

GREATER CLEVELAND REGIONAL
TRANSIT AUTHORITY, *et al.*,

Defendants.

CASE NO. 1:14-CV-01729

ORDER
[Resolving Doc. [50](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On February 4, 2015, Plaintiff Noel Cummings reached a settlement in her discrimination case against her former employer, the Greater Cleveland Regional Transit Authority (“GCRTA”). At a hearing, the Court described the settlement terms and Cummings agreed to them.^{1/}

Cummings and her former lawyers, Matthew Abens and David Harvey, are now in a dispute over attorney's fees. The settlement provided for a \$45,000.00 payment "payable jointly to Noel Cummings and Harvey Abens Iosue Co. LLP."^{2/} Cummings's says her former attorneys should get one third of that amount; her former attorneys say they should receive the entire payment.

The Court will not mediate for Cummings and her former lawyers. The Cleveland Metropolitan Bar Association has a fee dispute arbitration program that is the proper forum.

Therefore, the Court **ORDERS** GCRTA to re-issue a check in the amount of \$45,000.00, payable jointly to Noel Cummings and Harvey Abens Iosue Co. LP by 5:00 PM on August 7, 2015.

¹Doc. 43.

²*Id.* at 1.

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The Court **ORDERS** Cummings to endorse the check and return it to Harvey Abens Iosue Co. LLP by 5:00 PM on August 12, 2015.

The Court **ORDERS** Harvey Abens Iosue Co. LLP to deposit the check and hold it in an IOLTA account until the Bar Association resolves the fee dispute between Cummings and Harvey Abens Iosue Co. LLP

IT IS SO ORDERED.

Dated: August 5, 2015

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE